THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

Writ Petition No. 18297 of 2005

-

Dated: 18th August, 2005.

Between:

Velagala Srinivasa Reddy

..... PETITIONER

AND

1. The Revenue Divisional Officer, Eluru Revenue Division,

Eluru, West Godavari District and another

.....RESPONDENTS

O R D E R :

Against the order passed by the second respondent-Mandal Revenue Officer, Penumantra Mandal, West Godavari District, dated 01-06-2005, an appeal was filed by the petitioner before the first respondent-Revenue Divisional Officer, Eluru Revenue Division, Eluru, West Godavari District, on 04-08-2005. Pending the appeal, the second respondent is insisting the petitioner to stop the agricultural operations in the land in question.

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents.

It is the case of the petitioner that he is in possession and enjoyment of the

dry land in question i.e. an extent of Ac.0.44 cents in R.S.No.571/3A&B of Nattarameswaram village, Penumantra Mandal, West Godavari District, having obtained the same from his vendor, the original assignee, by way of a registered sale deed dated 21.11.1991 and ever since he has been in continuous peaceful possession and enjoyment of the same and the second respondent also issued the pattadar pass book in his favour after verification of the documents. According to the second respondent, the petitioner purchased the land contrary to the provisions of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 and passed the impugned orders against the petitioner. Hence, the writ petition to direct the respondents not to dispossess the petitioner from the land in question.

Since the appeal filed by the petitioner is pending consideration before the Revenue Divisional Officer, Eluru Revision Division, Eluru, West Godavari District, I deem it appropriate to dispose of the writ petition, at the admission stage, directing the first respondent-Revenue Divisional Officer to dispose of the appeal, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of the Order after giving an opportunity of being heard to the petitioner and the affected parties. Till such time, the respondents are directed not to dispossess the petitioner from the land in question.

With the above direction, the writ petition is disposed of. No costs.

_____

ELIPE DHARMA RAO, J.

Dated: 18th August, 2005.

NOTE:

Issue wire at party's costs.

B/O

Ak